

that would be irresponsible. I think everyone recognizes that.

I know there are those in the minority who argue that the best thing to do is stop the pensions bill and then to try to put the tax extenders on it. But that would put the retirement future of millions at risk, and that is unacceptable. Others in the minority are arguing that they can return to conference on pensions to haggle further on pensions and change this or that or to talk about the taxes. I didn't know exactly what we would do if we went back to conference with that; arguments such as where is the best place to have a clam bake. For the record, I would like to have my clam bakes in New Hampshire. Going back to the conference means waiting until at least September, and that type of "kick the can down the road" mentality won't work. It is what happens too much around here—another hearing, another negotiation, another delay. That is going to have to stop, and the Senate must clear the pensions bill clean so the President can sign it this month. We will act on pensions. We will get it done without amendment.

Senators are elected to debate, yes, but also to decide and to vote and to act. So we will also vote this week on whether to stop a filibuster on what I referred to as the trifecta bill. I don't want anybody to be mistaken. If the Senate kills the trifecta bill, we will not return to it this year. That means we would have no permanent death tax reform, no tax policy extenders, and no minimum wage increase. It is now or never. It is this week. Members need to understand that, especially Members who think we can delay and put off and try to divide. We will be addressing it this week. That is why it will be a very important vote on Friday. There are not going to be second chances. There are not going to be last-minute side deals or new unanimous consent agreements or other motions to proceed—nothing. This is going to be it.

The House has acted on a bipartisan basis to pass this bill, and now we have to decide as a body on whether to act as well. We will make that decision this week. It will be decided in that vote on Friday.

In the Senate, we have a bipartisan majority that supports fixing the death tax—a permanent solution for the death tax, fixing it forever.

We have a bipartisan majority that supports the tax policy extenders. We have a bipartisan majority that supports handling the minimum wage. Now let us see that bipartisan majority stand up, express themselves, and act this week. It is our time to choose.

Let's pass pensions without amendment, but stop the filibuster on the trifecta bill. Nothing more and nothing less will honor the heritage of the Senate which has been handed to us by those before us and those who will one day hold our seats. More importantly, acting now will resolve retirement security for millions of Americans. It

will help those take that first step on the lowest rung of the economic ladder. It will keep tax policy focused on growing our economy and creating new jobs. And it will finally bring fairness to that wrongful tax on death.

It is going to be a very important week with the vote we will have this afternoon. It started with the vote yesterday. I believe it will be a very productive week for all of us on the Senate floor addressing concerns, both economic concerns as well as other concerns, that the American people feel in their everyday lives.

Before closing, there is an issue that we finished with last week on the floor of the Senate but which we have not fully addressed until we get this bill to conference, so that we can join the child custody bill we passed last week, so that we have expressed the will of the floor of the Senate, and so we can address in conference marrying our bill to the House bill so this important bill will become the law of the land.

We attempted to go to conference last week. There was objection on the other side of the aisle.

UNANIMOUS-CONSENT REQUEST—H.R. 748

At this point, I once again ask unanimous consent that the Senate immediately proceed to consideration of H.R. 748; provided that all after the enacting clause be stricken and the text of S. 403, as amended, be inserted in lieu thereof; the bill then be read a third time and passed, and the Senate then insist on its amendment, request a conference with the House and the Chair be authorized to appoint conferees with the ratio of 7 to 5.

Mr. DURBIN. Mr. President, reserving the right to object, on behalf of several Senators on this side of the aisle, I might say the bill that was brought to the floor is a bill which is fatally flawed. It is a bill which would have allowed a parent who was guilty of a crime against his child, a parent guilty of incest, would have been allowed to file a lawsuit against someone trying to help the victim of his crimes. Fortunately, an amendment was considered and unanimously passed here which addressed this fatal flaw in this bill. There are several on this side of the aisle who are working to receive an assurance from the Republican leader that this matter will not go forward in conference until this fatal flaw is removed in the bill. And until that agreement is reached, I believe—and others do, too—that it would be a terrible injustice for us to consider a bill which would allow this circumstance to continue. And until that agreement is reached, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. FRIST. Mr. President, let me point out on this objection we heard that this bill did pass this body last week by a vote of 65 to 34. It has the overwhelming support of the American people. Over 80 percent of Americans clearly support this bill. It passed with strong bipartisan support in the House

of Representatives in I guess April of last year. So now is the time with the House having expressed its will for the Senate to express its will to go to conference, and then we can work out the disagreements that have been expressed between the two. Now is not the time to go back. It is a modest piece of legislation, very balanced, and it simply prohibits transporting a minor child across State lines for an abortion to get around a State law requiring parental notification or consent of that child for that child's abortion. It does not change any State law or policy but helps ensure that those State laws are honored.

I am deeply disappointed that the Democrats are objecting to what would be the normal course of events in taking this bill to conference.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader.

LEGISLATIVE AGENDA

Mr. REID. Mr. President, my friend, the distinguished majority leader, has laid out a program for the Senate to follow this week. As outlined by my friend, it is Alice in Wonderland. He talks about Congress and the Senate being a deliberative body, as well as it should be, and it has not been in recent years because of the Republicans' desire to do as little as possible.

Take, for example, my friend's statement about pensions. Last Friday, conference was agreed upon—working for months and months to come up with an agreement that affects 45 million Americans. It is so important. We talked a lot about the airlines. That is important to the airlines, but a lot of other companies also benefit from this.

The conference was agreed to. The Democrats and Republicans were ready to sign. I wasn't there. I don't know who walked in, whether it was the Senator from Tennessee or the chairman of the Ways and Means Committee, but someone said, no, we are not going to agree to the conference. Even though you have agreed on it, we are stripping all the extenders from this. The conference, in effect, is over.

Now to come to the Senate and say it is a take-it-or-leave-it deal is a little hard to comprehend. We have a free-standing bill. If we want to be the Senate, as we are supposed to be, it is subject to amendment. A conference report is not. The pension thing was all worked out until the Republican majority decided they had to get back to the road to legislative heaven, and the only road to legislative heaven in this Republican-dominated Congress is to repeal the estate tax. So the conference report affecting 45 million people was thrown in the garbage to take care of 81 people, the richest people in America. That is what this is all about.

The minimum wage they bring to the Senate is a travesty. The State of Nevada is an example. Everyone knows Las Vegas and Reno are based on tourism. Thousands and thousands of people work in Reno and Las Vegas for tips. In Nevada, those tips are not counted against your minimum wage. It is the same in six other States: California, Montana, Washington, Oregon, and Minnesota. Tourism is a big deal and the State legislatures there did not want minimum wage to be counted against their tips. Where are the States rights we hear so much about from our friends on the majority side? They wiped this out with the bill they sent to the Senate.

If this minimum wage passed, it would be a disservice and an unfair statement to the people of Nevada, Oregon, Washington, Montana, California, and Minnesota. To think we have a minimum wage package that is good is a joke, an absolute joke. It is spread out over a longer period of time and it penalizes seven States.

Right now, as we speak, people are being killed in Iraq. Our soldiers are being killed in Iraq. It is nighttime in Iraq. They have not finished the body count as to the deaths that occurred in the last 24 hours. Well over 100 Iraqis have been murdered or killed one way or the other by the sectarian violence. We have been told by our military commanders, and they have sent a letter to the President of the United States, saying they need \$17 billion yesterday. They want an emergency supplemental to take care of the equipment our soldiers are using in Iraq. The President has kept that in his bottom drawer someplace. It has not come to the Senate. I am sure he will wait until after the fiscal year has ended, as he has done in the past. Iraq is not part of his normal budget even though the war is going into the fifth year. Shouldn't we be working on that, rather than the Republicans' domination of time in this Senate with the estate tax repeal? We have spent more time on the estate tax than any other issue. It shows the difference between the two parties. We are concerned about the poorest of the poor; they are concerned about the richest of the rich. The rich in America are getting richer—all the statistics show that—the poor are getting poorer, and the middle class is being squeezed. For the Republican leader to come to the Senate and say this is a take-it-or-leave package, you take the estate tax repeal—and it has these other little goodies they have stuck in it—take it or leave it, and as soon as we finish that, you can take or leave the pension bill that was once resolved Friday until they had to get back on the road to legislative heaven with the estate tax repeal—to say that is a take it or leave it is truly Alice in Wonderland. This is not the Senate.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. FRIST. Mr. President, I will briefly respond on a couple of issues.

Things have moved very quickly and, as the Democratic leader knows, not as anticipated exactly as of midpoint last week for all sorts of different reasons—in part because of the House departure—and things have changed. I am very certain at this juncture the choices laid out before the Senate are appropriate choices, that each Senator will be able to come to the Senate and express in what direction they want to go.

The distinguished Democratic leader says that extenders were stripped out of the pension bill. Let's be very clear that the pension bill that passed the House of Representatives did not have tax policy extenders in it; the pension bill that passed the Senate did not have the tax extenders policy in it. So it is a little bit hard to strip out extenders from a pension bill that did not exist in a Senate or House bill.

My distinguished colleague mentioned the pension bill. Things are going well in conference on the pension bill. I argue that on the pension bill they continue, even through all the other disagreements on the pension issue itself, to go very well. The decisions were made on the substance of the pension bill, with Democratic Senators in the room and Republican Senators in the room, both in discussion throughout. I am very comfortable with the pension bill in the nature of the conference. But where the conference broke down is on the other issues, the tax extenders that were not in either pension bill.

Repealing the death tax, the third issue that the distinguished leader mentioned, I make it clear it is an important issue. I think the tax is wrong, it is unsafe, it discourages savings and investment, it punishes farmers and small business people in this country. We have legitimate disagreement about that. I feel strongly about that. Yes, I think the whole tax should be thrown away. It should be buried forever. However, we came to the Senate floor and could not get 60 votes. We got 55 votes, including the ranking member on the Committee on Finance who said it is important to bury that death tax forever.

But in the best spirit of compromise, we understand that right now this Senate will not repeal it forever and, therefore, after a lot of discussion between both sides of the aisle, we have come back with a compromise that basically is not a total repeal, but it does prevent the death tax rate from rising, after it disappears 1 year, from up to 55 percent in 1 year with the exemption dropping down to \$1 million. It gives a permanent solution. The details of that, as mentioned yesterday—and I am sure people will talk about it today—it is a fair compromise, and a permanent solution with some certainty for people, for the farmers, for the small business people out there today.

Mr. DURBIN. Will the Senator yield?

Mr. FRIST. Let me finish responding to my distinguished colleague.

The minimum wage that he called "a joke," that we put in the trifecta bill, or the House put in the trifecta bill, which we will be voting on on Friday, to call a minimum wage that, it is their No. 1 issue. I have made it clear, again and again, going to the other side, What are your issues? The No. 1 issue from that side of the aisle is to increase the minimum wage, again and again and again.

To have this opportunity now to take their No. 1 issue, with the issue that is very important to us, that focuses on small business and farms, and take their No. 1 issue and put them together, to me is in the best spirit of this Senate. I would not call it a joke when you increase the minimum wage today from \$5.15 per hour to \$7.25 an hour. Yes, it is over 36 months. Yes, we do include the minimum wage tip credit which we feel is very important to small businesses. Yes, there is relief for small businesses who might say out there, we cannot afford this increase in minimum wage in the tax extenders package where we have a 15-year depreciation to give some help to those people who might be affected by increasing the minimum wage in a detrimental way, but I would not call it a joke. It is their No. 1 issue. To put it together in one bill that we can take forward, to me, is in the great spirit of coming together in this Senate.

We come to the fifth item the Democratic leader mentioned, "other issues" that we are not concentrating on. Again, if you look at this month, we look at the infrastructure in this country, we passed the Water Resources Development Act, a bill very important to our waterways and support of the infrastructure to promote economic growth. The Energy bill we will be voting on today we have spent a lot of time on, but it has the potential for putting a billion barrels of oil not available today out on the markets, 5.6 trillion cubic feet of natural gas which is not available today. If you talk to farmers, the high price of natural gas today drives up that cost of fertilizer, so it is important that we will deliver on that today.

I mentioned earlier issues I know the other side diminishes in importance, but that child custody bill that does address issues around, yes, the sanctity of life, but what State laws say in people trying to circumvent the State laws with regard to parental consent and abortion passed this Senate. The Adam Walsh Sex Offenders National Registry bill addressed a real problem in this country. We have 100,000 sex offenders circulating and we do not know where they are today. We addressed that in the Senate last week.

We continue to address the issues important to real people right now with regard to their cost of living, to hopefully lower natural gas prices in the Senate today, to address the values they care about when you talk about parental consent for abortion, people trying to circumvent those laws, and

sexual predators; or when you talk about the infrastructure of our waterways and our waterway development, again, which promotes economic growth. I would be hard pressed to say we are not addressing the issues that mean something to the average, hard-working taxpayer out there today.

Mr. DURBIN. Will the Senator yield for a question?

Mr. FRIST. I am happy to.

Mr. DURBIN. I would ask the majority leader, since he called for the complete repeal of the estate tax, when President Bush took office, our national debt was about \$5 trillion; now it is nearing \$9 trillion. In 6 years it has gone from \$5 trillion to \$9 trillion. What you have proposed in the Senate will add at least \$1 trillion more to the national debt. Is there any limit to the amount of debt you would leave to future generations to give tax breaks to wealthy people?

Mr. FRIST. Mr. President, I think the misrepresentation of the issue we are going to be voting on, on Friday, that has just been made by the assistant Democratic leader needs to be addressed.

Right now, the bill, according to the Congressional Budget Office, is around—the cost of this death tax permanent fix—is around \$267 billion; again, not the \$1 trillion that has been laid out. And the issues of the dollars and the cents we can argue. What we start with, though, is the individual out there, who is running that farm, who is running that small business, who has been taxed again and again and again, is actually taxed on their death for a second time, a third time, a fourth time, and it is just wrong. I would argue it is wrong whatever the price is, although the price is about a quarter of the figure he put forward. It is important for us to act on what is right and what is wrong. That is why, on this Friday, we will be doing just that.

Mr. GREGG. Mr. President, will the majority leader yield for a question?

Mr. FRIST. I will be happy to yield.

Mr. GREGG. Just to clarify the numbers, because I do think the assistant Democratic leader has thrown a bit of a straw dog out there in his numbers, as to the death tax, as it is presently structured under today's law, the exemption is about \$2 million. If we do not put in place this change in the death tax, the exemption will go back to \$1 million. The tax rate on dollars over the \$2 million today goes up to about 46 percent, I believe. If we do not put in place this change, the tax rate would go up to 60 percent on everything over \$1 million, potentially.

What the proposal before us will be is to raise the \$2 million limit up to \$3.5 million, or an increase of \$1.5 million, which is basically a small family restaurant or a small family farm or a small family business. It is not to repeal the tax; it simply is to say to people who have small businesses: You will not be wiped out. Your family won't be

wiped out by estate taxes which would be 60 percent of the value of that business over \$1 million, potentially. Is that not true?

Mr. FRIST. Mr. President, that is absolutely true. And I think as we enter this debate over the course of the week, with a lot of these straw men that are being thrown out, we will have the opportunity to talk about and address the reality of what the costs would be. I think that is important. We have to address that. Our fiscal responsibility has to be there—but ultimately how it affects that individual farmer, who is out there, who dies, and has saved, has invested, has grown that farm or that small business, and has already paid taxes on what they produced, and to be able to pass that on to their children—again, not totally free because we have certain limits. Although I would argue we ought to repeal it totally, that is not what is on the floor. The compromise is on the floor.

Mr. GREGG. Mr. President, if the majority leader would yield further, there is no total repeal; is that not correct? What is happening is the tax is being reformed to reflect the fact there has been an increase in value in assets for especially small businesspeople, especially small farmers, and we are trying to protect those families from having their businesses wiped out. So the first \$3.5 million, no, there would not be a tax, but over that there would be a tax?

Mr. FRIST. Mr. President, that is exactly right. What is important is the permanent solution. Right now, it is absurd to think we almost have to have three types of planning for when you die: over the next 3 years, as these prices come down; and then total elimination for a year; and then jump back up to a rate of, as my distinguished colleague from New Hampshire said, as high as 60 percent in 1 year, with that exemption falling back down to \$1 million.

So what we propose, what we will be voting on now—and then that is it, that is it for this year—is a permanent solution to give certainty so people will know what the laws are, what the taxes will be, and clearly relieve most of the incentive that discourages savings and investment.

Mr. GREGG. If the majority leader will yield for one or two more questions. I would also ask, on this minimum wage issue, which the Democratic leader has dismissed as irrelevant or ineffective, by my calculation, a \$.15 increase—I believe that is what it is; maybe it is 10 cents—on a \$5 basis is about a 40-percent increase. That is not an insignificant increase in the minimum wage, to raise it by 40 percent, is it?

Mr. FRIST. It is not. It is either a percentage or the amount \$.10 for every hour you are working if we pass it this week. It is the law of the land, by the way, if we pass it this week as it is written. We are talking about a

2.10 absolute. But also it is a percentage increase. It is huge. Everybody needs to realize, right now this is going to be the law of the land. The House has already passed it. If we pass it, it is. That will go up, as both that percentage as well as that amount, \$.10. For every hour you are working, you are going to be getting more money.

Mr. GREGG. If the majority leader will yield for one more question relative to the budget issues here. We have heard from the other side, almost interminably, about the need for pay-go and to live by pay-go. Is it not true that these tax cuts within this proposal meet the pay-go scorecard?

Mr. FRIST. Mr. President, absolutely. And this has been very carefully crafted to make sure we do meet those criteria. The real beauty of what is on the table—again, it is three different bills, but each has been addressed very carefully, such as pay-go, such as addressing the No. 1 issue from the Democrats on the minimum wage, adding the tax extenders. We have not talked very much about those, but it includes everything from State and local sales tax deductions to the research and development tax credit, which is simplified and extended—absolutely critical, as we hear from the high-tech people across this country in terms of investing for the future to create jobs. The college tuition deduction is in there; the work opportunity tax credit; the welfare-to-work tax credit; the depreciation for restaurants in 15 years; the timber capital gains; the mine safety tax incentives; the teachers' classroom expenses deduction; combat pay applies to EITC; the gulf opportunity zone—that is, the Katrina tax credits. That is what we will be voting on today: the permanent death tax relief, the extension of the tax relief, and the minimum wage increase.

Mr. MCCONNELL. Will the leader yield for another question?

Mr. FRIST. I will be happy to.

Mr. MCCONNELL. Does the leader share my view that one of the things we hear the most from our constituents as we go about the country is: Why can't you people in the Senate do things on a bipartisan basis? And I heard the leader indicate earlier that we obviously have bipartisan support for the Gulf of Mexico Energy Security Act, we have bipartisan support for the tax extenders, bipartisan support for the minimum wage, and, yes, bipartisan support for a permanent reduction in the death tax.

Why in the world—with bipartisan support for all of these three measures which the leader has put on the agenda for the last week before the August break—why in the world shouldn't we come together on a bipartisan basis and do something together that would be overwhelmingly popular with the American people? We have seen the poll data on the death tax. Even after Americans understand it does not apply to them, they hate the tax and despise it because they think they

shouldn't have to visit the IRS and the undertaker on the last day. And we are not even, as the Senator from New Hampshire pointed out, permanently repealing it, which would be our first choice but, rather, getting a permanent reduction. The minimum wage is overwhelmingly approved, and we have taken Senator KENNEDY's figures. What part of "yes" do our friends on the other side not understand?

So I would just ask my friend, the majority leader, if he can think of any rationale why the Senate, any reason why the Senate should not come together—with bipartisan support existing for all of these measures—this week and have one of the Senate's finest moments, operating on a bipartisan basis to do some series of things that are important for America?

Mr. FRIST. Mr. President, I would just very briefly respond that my distinguished colleague from Kentucky really captures the point. Not only is it bipartisan support, but it is bipartisan majority support for each of these. Remember, for a total repeal, we got, in essence, 55 votes—for total repeal—and we are coming back with the compromise. The extension of the tax relief and the long list I went through are issues we have addressed before, and we are extending them because they are so popular in terms of bipartisan support. And the minimum wage increase is an issue that has bipartisan majority support.

Each of these issues has been addressed in some shape or form. I am sure some people would come back and say we need to spend more time and let's put it off until September and let's delay. Each of these issues we have addressed. And there has been an appropriate compromise that is being brought forth that people will be voting on this Friday.

So I think it does capture, potentially, if we continue to work in a bipartisan way, the very best of what this body is all about. And it is compromise. It is vote. It is action. It is addressing the concerns of the everyday people out there today who do scratch their heads at times and say: Now is the time for us to act.

The ACTING PRESIDENT *pro tempore*. The Democratic leader.

Mr. REID. Again, we live in this "land of Oz." The conferees had signed off on the conference report dealing with pensions. Basically, there had been an agreement, and they were going to put in that, as conferences are able to do, the extenders. They all worked out. We would have been voting on that today. But they wanted the extenders to help the "pathway to heaven"—the "legislative pathway to heaven"—of the Republicans on the estate tax, so that was taken away.

Mr. President, if you are working at one of the hotels in Las Vegas or one of the resorts in the State of Washington or Oregon or Minnesota or California and this minimum wage passes, you would get a decrease in your minimal

salary. It does not sound very good to me. And I think I would class it and the people in Nevada and those other six States would say it is a joke. How could you pass something saying it helps me; I get a pay decrease. The minimum wage bill they have here is not only spread out over 3 years—different from ours—it also penalizes seven States.

For the majority leader to say that minimum wage is our No. 1 issue, it is one of our No. 1 issues. We have a lot of No. 1 issues. We care about the health care of this Nation—46 million people with no health insurance. We care about the kids being able to go to college. We care about stem cell research, which the President vetoed. That could be a No. 1 issue. I think Iraq is a No. 1 issue—2,600 dead Americans, more than 20,000 wounded, costing \$3 billion a week. I think that is a No. 1 issue.

I did not invent for this Congress the name "the do-nothing Congress." Pundits all over America call this the do-nothing Congress because we have done nothing. We have been in session very few days. We have accomplished virtually nothing. And that is why it is called the do-nothing Congress.

Now, we did not—my friend, the distinguished minority whip, the assistant Democratic leader, did not invent the cost of this bill. It is every place, in editorials all over the country—"bad bargain" in the Washington Post, it is referred to. And in here it talks about the measure would cost \$753 billion. No, it is not total repeal; it is only 80 percent repeal: \$753 billion.

The Center on Budget and Policy Priorities: House estate tax proposal has essentially the same long-term costs as earlier version.

For the people watching this, Mr. President, understand what has happened, as has been pointed out by the distinguished Senator from Illinois this morning. During the 6 years President Bush has been in office, the debt has skyrocketed, almost doubled: \$9 trillion. Now, remember, during the Clinton years, the last 3 years President Clinton was President, the debt was paid down. So it is great for them to talk about pay-go. And as the majority leader mentioned, the death tax he does not like, he does not care how much it costs, he said here right now.

Mr. DURBIN. Will the Senator from Nevada yield for a question?

Mr. REID. I would be happy to.

Mr. DURBIN. I asked the majority leader a question. I said: Since we are adding to the debt which we are leaving to our children and families, is there any limit to the amount of debt you would create in America to provide tax breaks for people who are the wealthiest? And he would not reply to that, which suggests to me—I would ask the Senator from Nevada—that when the majority leader and the majority whip both said they really favor repeal of the estate tax—repeal, complete repeal of the estate tax—that they are prepared to incur whatever

debt is necessary and leave that to future generations in order to benefit the wealthy few in America.

We have reports from the Center on Budget and Policy Priorities that the number of people to be benefited in 1 year in America from this estate tax reform is 8,200 people. The average benefit by estate tax reform, as they call it, would be \$1.4 million for each one of those persons.

I say to the Senator from Nevada, if the majority party in the Senate is not even sensitive to the fact that they are now leaving three-quarters of a trillion dollars of debt for our children and future generations to benefit 8,200 families, is this pay as you go? And if it is pay as you go, how are the Republicans paying for their reform or repeal of the estate tax?

Mr. REID. I say to my friend, like they pay for everything else. My 16 grandchildren are going to be paying for it, and their children are going to be paying for it. You talk about a death tax; the estate tax is not a death tax. What this Republican-dominated Washington has done in the last 6 years has passed on a birth tax to my children, their children, my grandchildren, and their children.

It is obvious what the priorities of this Republican Senate and the Republican House are: to take care of the fat cats, the rich people. That is what it is all about. They know this minimum wage legislation they sent us is flawed. It eliminates an increase for the hard-working poorest of the poor in seven States, and it is spread out over 3 years.

Mr. DURBIN. I ask the Senator from Nevada, over what period of time have the Democrats in Congress been asking for an increase in the minimum wage and over what period of time have Republican Presidents and the Republican-led Congress said no repeatedly to an increase in the basic \$5.15 minimum wage? How long have we been asking for a straight-up vote on increasing the minimum wage?

Mr. REID. It has been about 10 years. As I said here yesterday, I don't know why, even though it is a flawed measure they sent us, I don't know why they have moved forward. Maybe it is because we stood up and said there will be no congressional pay raise until the minimum wage is increased or maybe it is because Oprah did a show on this last week or maybe it is a combination of both.

Mr. DURBIN. I ask the Senator from Nevada, when the Democrats said there will be no congressional pay raise until the minimum wage goes up, and all of a sudden the interest in the minimum wage was rekindled on the Republican side of the aisle, now that the Republicans have said we ought to spread the increase in the minimum wage over 3 years, perhaps the congressional pay raises should be spread over a 3-year period of time. There should be some symmetry if there is an insensitivity to what the lowest paid workers are receiving. I ask the Senator from Nevada

if that is a proposal we ought to consider.

Mr. REID. Of course, we should consider it.

I say through the Chair to my friend from Illinois, we are in this predicament because the Republicans have put us here. We are spending an inordinate amount of time on seeing if they can run up a debt of approximately \$1 trillion to the American people to take care of 8,100 people. That is why we are here. It is not because of the minimum wage; they hate the minimum wage. You know that, I know that. It is not because of the extenders. The extenders are good for most everybody. That is why they put it on the pension bill in conference. We are here because of the estate tax repeal. That is what this is all about. All the rest is fluff. As I say, the dominating issue of this Republican Senate has been estate tax repeal. That means more to them than spending time debating the war in Iraq. It means more to them than talking about health care.

It means more to them, certainly, than talking about global warming because, according to them, it doesn't exist. It certainly has taken away time to talk about why the President vetoed stem cell. This issue relating to the estate tax has taken care of everything for them. That is their No. 1 issue. You talk about the minimum wage being our No. 1 issue. They don't have No. 2, 3, 4, 5, like we do. Estate tax is it.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. FRIST. Mr. President, I will be very brief. Our agenda has been very clear. It has been clearly articulated and, as people look back, as they look forward, they will see how all the pieces come together because each time we take a bill to the floor there is a complaint. On child custody, there is obstruction; we are going to stop it. But it is clear to the American people. When we go back to our States and talk to the people, they get it. The Democratic leader is right in many ways. He says Iraq and dead Americans—the words he used—\$3 billion, all of which I look at as securing America's homeland and those enduring values of freedom and liberty that we know are so important to our generation and that next generation. That is what this war on terror is about. It is the No. 1 issue, securing America's homeland. I will come back to that in a second.

I hope we can address supporting our troops overseas in the Department of Defense appropriations bill, this week. We need to do that this week as well. We could go to that tonight. I will talk to Chairman STEVENS as soon as I finish here to see if we can take that to the floor tonight and address it over the next couple of days.

Securing America's homeland, we addressed in part through our border security bill, and addressing immigration, we did spend several weeks on the floor of the Senate.

The second thematic is securing America's prosperity. By prosperity, the other side wants to talk about rich people because they know it has connotations to it and the sound bites work. But if you look at what we are doing, we are talking about people at the lowest rung of the economic ladder. We are talking about small businesspeople. We are talking about people who feel the squeeze that we know they feel because of energy prices and because of health care. Although they can say we are not addressing those, at 5 o'clock today we are voting on the bill that can have the single greatest impact since our last Energy bill a year ago, which was very successful, a bill which has the potential for reducing that squeeze that people are feeling today when they fill their tractors with fuel. We are addressing it on this floor.

We addressed health information technology, which I think is the single most incremental variable that can transform health care today in terms of improved quality, improved availability, and reduced cost, by getting rid of the waste and the abuse and even the fraud and the medical errors that do typify our health care sector. We addressed that in the Senate. We passed it in the Senate, and the House passed it last week. Now we can go to conference and pass it. So when we talk prosperity, too often the other side just talks about rich people. We too often talk about the 5.4 million jobs created—very, very important—the 4.7 percent unemployment rate, the lowest of the average of the 1960s, 1970s, 1980s, and 1990s—all very important. We are addressing what the average person, the typical taxpayer is feeling—energy prices—on the floor of the Senate today.

We are addressing health care costs through health information technology by trying to take small business health plans to the floor but having it stopped from consideration by the other side of the aisle. People feel those health care costs.

The third thematic is securing America's values. We have securing America's homeland, No. 1; securing prosperity, No. 2; and securing America's values, No. 3. Last week, on child custody protection, it is being stopped by the other side of the aisle. This body has spoken, but it is being obstructed. The Adam Walsh child protection bill, passed, signed by the President. We are going to continue to fight for America's values.

I will close by saying, there is a lot we will be talking about over the course of the week. I restate once again that vote will be Friday. Are we ready to address a permanent solution to the death tax this Friday? We are going to say yes or no. If it is no, we are not going to do it this year. Extension of tax relief, the issues and the policies that I outlined before, we are going to do them now, this week, or we are not going to do it, as well as the minimum

wage. Remember, if we pass it this week, or if we demonstrate that we are going to pass it this week, people across this country who are making the minimum wage will have that minimum wage go. It has already passed the House, from \$5.15 to \$7.25, a \$2.10 increase, if we vote correctly on this Friday.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I wanted to correct the RECORD. I spoke inaccurately in that on the issue of pay-go, there is available under pay-go approximately \$300 billion to cover the cost of this tax bill. In one 5-year period, it may be out of compliance, but over the entire 10-year period, it is clearly within compliance. I did want to make that clarification.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

GULF OF MEXICO ENERGY SECURITY ACT OF 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3711, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3711) to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

Pending:

Frist amendment No. 4713, to establish an effective date.

Frist amendment No. 4714 (to amendment No. 4713), to amend the effective date.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, we just heard an interesting exchange between the Democratic and Republican leaders about the week's agenda. The Democratic leader indicated that this was a do-nothing Congress and in the same remarks he indicated he was going to try to keep us from doing something this week. As the occupant of the chair has frequently said, block and blame. But the truth is, it must be confusing for the people in the gallery and for those who might be watching on television to try to figure out in the middle of all this what is happening. Let me explain it again before addressing the Gulf of Mexico Energy Security Act, which is my principal reason for rising at this point.

This week, we are considering four bills, each of which enjoys bipartisan support: the Energy Security Act, which I will get back to in a minute, but also the Democratic version of the increase in the minimum wage, a tax extender bill that enjoys broad bipartisan support, and a modification and